



May 8, 2025

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Contract Change Orders for Construction of the OC Streetcar Project

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. Contract change orders are required for utility conflicts, traffic signal interconnect ethernet switches, and communications system software and licenses for the OC Streetcar project.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.5 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$250,000, to address utility conflicts.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 71.3 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$200,000, for traffic signal ethernet switches.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 293 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$900,000, for communication systems and train control software updates and license extensions.

Discussion

On September 24, 2018, the Orange County Transportation Authority (OCTA) Board of Directors (Board) awarded the contract to construct the OC Streetcar project (Project) to Walsh Construction Company II, LLC (Walsh). The Notice to Proceed with construction was issued to Walsh on March 4, 2019. The construction of the Project is nearing 95 percent complete. The project alignment is referenced in Attachment A.

Staff is requesting Board authorization of the following contract change orders (CCO).

Utility Conflicts

Utility conflicts were discovered during construction within city streets. The utility conflicts were more complex than anticipated, requiring significant time and effort to excavate and investigate, resulting in either removal or relocation of utilities or redesign of conflicting project elements. The resulting additional construction efforts include demobilization as time is required to address the utility conflicts, field meetings, and remobilization after solutions are determined. As a result, CCO nos. 4, 4.1, 4.2, 4.3, and 4.4 were issued to address utility conflicts. Since the effort to address the numerous utility conflicts was extensive and involved Walsh and its subcontractors, it was difficult to track and document time and materials (T&M) work timely. The construction management team has reviewed T&M work bills and additional supporting information provided by Walsh and recently found merit to those costs. Proposed CCO No. 4.5, in the amount of \$250,000, is required to provide compensation for utility conflicts for the Project.

Traffic Signal Interconnect Ethernet Switches

During development of the operations plan, it was determined that providing traffic signal priority on the route would improve travel time. The City agreed that green lights could be extended by up to 20 seconds to enhance the flow of traffic and add operational improvements to reduce wait time for the streetcar. It was determined after the Project was bid, that for traffic signal priority to function effectively, it was necessary to replace older fiber optic cables and install additional fiber optic connections between traffic signals. This would facilitate the coordination of traffic signal timing along the streetcar route. As a result, CCO nos. 71, 71.1, and 71.2 were issued for the installation and testing of fiber optics connections between traffic signals. Proposed CCO No. 71.3, in the amount of \$200,000, is required to provide compensation to perform additional investigation for a blockage found within an existing traffic signal conduit, and to

procure and install fiber optics ethernet switches hardware required within the traffic control cabinets.

Communications System and Supervisory Control and Data Acquisition (SCADA) System Software

Communications systems include the public announcement audio and passenger information visual displays at all passenger stations, operational telecommunication, closed-circuit televisions, and the network cloud data required for connecting these systems together to support communications for all areas of the Project. The train control SCADA system enables remote monitoring and control of the streetcar system. Software for the communications systems and train control SCADA system are preloaded by the equipment manufacturers and activated at the time of equipment delivery to the Project. Software for the Project's visual displays and the integrated data feeds to the passenger information system are no longer supported by the manufacturer. Based on the updated schedule, software for communications system equipment, and train control SCADA, which was previously purchased, needs to be updated to their current versions, and license subscriptions and warranties need to be extended to allow for system implementation and testing to be consistent with the current project completion date. Proposed CCO No. 293, in the amount of \$900,000, will provide compensation for communication systems and train control SCADA software updates and corresponding license extensions.

The cost of the work associated with these CCOs will be funded from the project budget as previously approved by the Board on February 24, 2025.

Procurement Approach

The initial procurement was handled in accordance with OCTA's Board-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process. On September 24, 2018, the Board authorized Agreement No. C-7-1904 with Walsh, in the amount of \$220,538,649, for construction of the Project.

Proposed CCO nos. 4.5, 71.3, and 293, in the cumulative amount of \$1,350,000, will increase the cumulative value of the contract to \$348,841,289, as shown in Attachment B. Board approval is required for CCO nos. 4.5, 71.3, and 293 pursuant to the State of California Public Contracting Code Section 20142. The CCOs will be issued with a reservation of rights to advance the Project, pending

resolution of disputes between OCTA and Walsh. The statements in this report are made in the context of, and subject to, OCTA's reservation of rights.

Fiscal Impact

Funding for these changes was included in the revised OC Streetcar Federal Transit Administration Full Funding Grant Agreement approved by the Board on February 24, 2025, and is included in OCTA's Fiscal Year 2024-25 Budget and Proposed Fiscal Year 2025-26 Budget, Capital Programs Division, account nos. 0051-TS010-9017-Z42 (CCO No. 4.5), 0051-TS010-9017-Z52 (CCO No. 71.3), and 0051-TS010-9017-Z55 (CCO No. 293) and is funded with Federal Transit Administration Section 5309 New Starts grant funds and local Measure M2 funds.

Summary

Staff recommends the Board authorize the Chief Executive Officer to negotiate and execute CCO No. 4.5, in the amount of \$250,000, for utility conflicts, CCO No. 71.3, in the amount of \$200,000, for traffic signal ethernet switches, and CCO No. 293, in the amount of \$900,000, for communication systems and train control SCADA software updates and license extensions to Agreement No. C-7-1904 between OCTA and Walsh for the construction of the Project.

Attachments

- A. Project Alignment
- B. Walsh Construction Company II, LLC, Agreement No. C-7-1904, Contract Change Order (CCO) Log

Prepared by:



Jeff Mills, P.E.
Director, Capital Project Delivery
(714) 560-5925



Pia Veasapen
Director, Contracts Administration and
Materials Management
(714) 560-5619

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646